

DUMONT JOINT LAND USE BOARD MINUTES FOR APRIL 29, 2014 MEETING

MINUTES

Flag Salute

SESSION: This is a meeting of the Joint Land Use Board, of the Borough of Dumont, held in the Council Chambers.

**April 29, 2014
7:30 PM**

SUNSHINE LAW: This meeting is a regularly scheduled meeting of the Joint Land Use Board, of The Borough of Dumont, held in the Council Chambers on April 29, 2014. The date, time, and location were established by the resolution of the Board. A copy of the resolution was forwarded to *The Record*, the *Ridgewood News*, and posted in the Borough Hall of the Borough of Dumont. All notice requirements of the Open Public Meetings Act of the State of New Jersey have been fulfilled.

ROLL CALL:

Thomas Trank	P	Michael Affrunti	P	Councilman Matthew Hayes	P
Michael Worner	P	Timothy Hickey	P	Elmer Pacia	P
William Goodman	P	Barbara Chen	P	Michael Cremin Alt # 1	P
Alfred Moriarty Alt # 2	P	Janet Masio Alt # 3	P	Mynor Frank Lopez Alt # 4	P
Chairman William Bochicchio	P				

Others: Board Attorney – Mark D. Madaio, Esq.: Mark Madaio-P
Board Engineer – Boswell Engineering: Jeffrey Morris-P
Board Planner – Maser Consulting: Darlene Green-P
Board Clerk - Rosalia Bob-P

- Chairman William Bochicchio begins the meeting by letting the residents know that the joint land use board had tried having the meeting at the senior center and at the high school but both were unavailable.

BUSINESS: Review and Approval of Business Professional Invoices

Chairman William Bochicchio states that he will go to the building department to sign off on the items.

BUSINESS: Approval of March 2014 Minutes

March Minutes

Motion to Approve: Michael Affrunti

2nd by: Thomas Trank

All in Favor

RESOLUTION: Proposed Zoning Ordinance-West Shore Avenue

Mark Madaio begins by explaining the resolution for the rezoning of West Shore Avenue. He states that a portion of the area is being rezoned so that the zoning ordinance is consistent with the borough's master plan. He explains that the mayor & council have approved the ordinance.

George Rafferty at 34 Blanche Court asks the board why it took seven years to make this change. Mark Madaio states that this was noted within the borough's master plan but that the joint land use board cannot answer this question and that the question would be for the governing body to answer. Chairman William Bochicchio calls for a motion from board.

Motion to Approve: Michael Affrunti

2nd by: Michael Worner

ROLL CALL:

Thomas Trank	Y	Michael Affrunti	Y	Councilman Matthew Hayes	Y
Michael Worner	Y	Timothy Hickey	Y	Elmer Pacia	NA
William Goodman	Y	Barbara Chen	Y	Michael Cremin Alt # 1	Y
Alfred Moriarty Alt # 2	NA	Janet Masio Alt # 3	NA	Mynor Frank Lopez Alt # 4	NA
Chairman William Bochicchio	Y				

FORMAL: 14-03 97-105 West Shore Avenue: West Shore Ave, LLC

Block - 904, Lots – 41 & 42

Change in Occupancy

The attorney for the application, Richard Kelly begins by stating that he is before the board for a change of tenancy application. He presents the notice of mailings to the board and states that there are four witnesses he will be presenting this evening. He states that the witnesses are Michael Gabbetti and Michael Cervantes the co-owners of the new business; Peter Gallo the owner of the property and Michael Hubschman the engineer and planner for the project. Mark Madaio swears in all of the witness. Mr. Kelly presents three items into evidence which are the site plan for the project; the prior resolution for the property and the board engineer's review letter. Mark Madaio marks these items into evidence as A1, A2 and B1.

Mr. Kelly begins by questioning Mr. Gallo, the property owner. Mr. Gallo explains that he utilizes 10,000 square feet of the warehouse space for his fine art storage business. He explains that the tenants are looking to occupy 4,100 square feet of warehouse space for a

new sports business. Chairman William Bochicchio asked if there are any questions from the board or from the public for Mr. Gallo.

Mr. Kelly presents his next witness Michael Gabbetti, a co-owner of the business. Mr. Gabbetti explains that the new sports business is called Tunnel Vision Sports LLC. Mr. Gabbetti explains that he and Mr. Cervantes are looking to rent 4,100 square foot warehouse space for their new sports business. He states that he is a resident of Dumont for 44 years and that he is trained in the sports training of young athletes in all forms of sports. He explains that he has coached football, baseball and several sports teams for approximately 25 years. Mr. Kelly asks if there is a need for such a business and is it open to the public. Mr. Gabbetti states that the business will be available for appointment only and that there will need to be a licensed certified trainer accompanying any group that rents the space. He states that a group can use them as their certified trainer or a group can bring in their own certified trainer. He explains that there will be four netted off separate tunnel areas that will be able to accommodate four coaches and possibly four trainees. He states the hours of operation during the week will be 5-10 pm and 8-6 pm on the weekends. Mr. Kelly asks what changes will be made to the space. Mr. Gabbetti explains that turf will be added for safety and athletic training. He states that a retractable netting system will be installed to control the balls in the training area. Mr. Kelly asks if someone will be able to utilize the space without an owner present. Mr. Gabbetti states no that an owner of the business will be present at all times and that the facility is strictly by appointment only. Mr. Gabbetti explains that the entrance will be on the right side of the building with steps into the facility but that they will be adding an entrance door from inside the existing printing business since there is a handicap ramp into that space. He explains that this will make the facility handicap accessible. He details that there is parking across the street and that they have gotten into a lease agreement with the borough and purchased several parking spaces in order to accommodate their facility. He states that they are eventually looking to replace the old Honda sign with a sign that will include all the names of the businesses within the property. Chairman William Bochicchio asks questions regarding the parking agreement and how many spaces were purchased. Mr. Gabbetti states that they purchased six parking spaces from the borough. Councilman Matthew Hayes asks about the age groups participating in facility. Mr. Gabbetti states that the faculty is for 5 year olds through 19 year olds. Mark Madaio asks about the hours in the evening during the summer and will they possibly extend summer hours. Mr. Gabbetti states that they may have summer hours of 8-10 pm weekdays and 8-6 pm on the weekends. Michael Cremin asks what the maximum amounts of people are within the facility. Mr. Gabbetti states that they will be able to accommodate one full sports team with one certified trainer per trainee. Mark Madaio asks if there will be a waiting room. Mr. Gabbetti states that there will be a waiting area. Barbara Chen asks about the rental times. Mr. Gabbetti states that the rental time will be one hour per team and 45 minutes per individual rental. Mr. Kelly states that the applicant's intention is to renew the parking lease every year and places into evidence a copy of the parking lease. Mark Madaio enters this into evidence as A3. Chairman William Bochicchio asks where the waiting area will be. Mr. Gabbetti states that it will be within the current printing business space.

Barbara Chen asks how large the waiting area will be. Mr. Gabbetti explains that it will be approximately 300 square feet.

Mr. Kelly presents his next witness Michael Cervantes, the other co-owner of the business. Mr. Cervantes states that they are still working out the business' hours of operation. He explains that it will be based on his printing business which is his primary business. Mr. Kelly asks if there will be an entrance through the printing store. Mr. Cervantes says yes because there is a handicap into that entrance and he states that there is also a handicap bathroom within that space. Mr. Kelly asks what happens if his printing business sells. Mr. Cervantes explains that the printing shop is his main source of income and he is not closing that business. He states that he has been in that space for 2 1/2 years now. He explains that their intention is to renew the leasing agreement for the six parking spaces every year with the borough. Mr. Cervantes states there is another business within this property. He explains that there is a dance studio on the second floor that operates on Monday, Tuesdays and Thursdays from 5 to 8 PM. Mr. Cervantes states that since he will be there all day, he will be the primary person to maintain the sports facility. Chairman William Bochicchio ask for clarifications on the amount of people within the facility. Mr. Cervantes explains it can accommodate a team of 10 children with six children in the waiting room and four children working out at one time. He states that four coaches can also potentially be there, one coach per training area per child. Mark Madaio explain that there is a possibility that they can have an overlap of 28 children there at one time. He states that this could potentially happen because some people may come early or late. He asks how would they schedule their appointments and contain or control the flow of people into the facility. Mr. Cervantes explains that this overflow could only be a possible transition time between large groups renting the facility. Chairman William Bochicchio asks if there will be an overflow that will surpass the occupancy number for the facility. Councilman Matthew Hayes asks if this is facility is just for baseball. Mr. Cervantes and Mr. Gabbetti state that the tunnels and the retractable net can be accommodated and used for other sports as well.

Chairman William Bochicchio opens the hearing to the public.

Lynn Vietri at 41 Wilkins Drive states that there is ample parking space in the area. She explains that there are never parked car is in that area and she asks who made those parking spaces permit parking only. The zoning officer, Steve Cavadias explains that West Shore Avenue was made permit parking by the police and the mayor and council.

Chairman William Bochicchio closes the hearing to the public.

Mr. Kelly presents his next witness Michael Hubschman, who is the engineer for the project. He explains that this is an amended site plan application. Mr. Hubschman states that there are no physical changes being to the site. He explains that there is tandem parking located on the site but that is utilized by the property owner, Mr. Gallo, for his own vehicles and his four employees. Mr. Kelly and Mr. Hubschman discuss the Borough's parking ordinance for commercial zone. Mark Madaio explains that the applicant has a ready been granted a parking variance for the warehouse and storage, so

the remainder parking that is needed has been acquired by the applicant through a lease from the borough. Barbara Chen asked for more clarification on the six parking spaces that were leased with the borough. Mr. Cervantes states that they were given parking passes by the borough and they were initially thinking that the parents would be given the passes to place in their parked vehicles but then they became worried about them being returned back to their office. Michael Affrunti asks about possible signage being added to the leased parking spaces for the sports facility. Barbara Chen states she has a concern on the overflow of the facility.

Chairman William Bochicchio opens and closes the hearing to the public.

Mr. Kelly gives his closing summation stating that the owners of the business have been coaching for 25 years within the borough and were themselves coached in this town when they were younger. He explains that their business is looking to establish a climate controlled space to train athletes and to train children properly. Mr. Kelly states that this new business will serve Dumont and serve its community. Chairman William Bochicchio calls for motion from the board.

Motion to Approve: Barbara Chen
2nd by: Thomas Trank

ROLL CALL:

Thomas Trank	Y	Michael Affrunti	Y	Councilman Matthew Hayes	Y
Michael Worner	Y	Timothy Hickey	Y	Elmer Pacia	Y
William Goodman	Y	Barbara Chen	Y	Michael Cremin Alt # 1	NA
Alfred Moriarty Alt # 2	NA	Janet Masio Alt # 3	NA	Mynor Frank Lopez Alt # 4	NA
Chairman William Bochicchio	Y				

FORMAL: Master Plan Reexamination Hearing

Mark Madaio begins by explaining that the 2014 master plan re-examination is mandated every 10 years. He states that is fully supported by the courts and if the borough doesn't re-examine their master plan in the courts can be deemed that the borough has no zoning. He states that they are looking to re-examine the master plan because the last time a master plan review was done was in 2007. Darlene Green presents a copy of the draft document and states that under the municipal land use law, all municipalities are required to re-examine their master plan every 10 years. She explains that a municipality is allowed to do this earlier. Darlene Green states that there are several elements that must be included in a master plan re-examination and she details to the board a complete overview of all the elements that is required of the re-examination. Councilman Matthew Hayes asks why they have to do this. Darlene Green explains that a master plan re-examination is required and must be done every 10 years. She states that the master plan is the borough's vision document and needs to be updated. She explains that they need to

bring the master plan up to date in order to match the borough's policies. Thomas Trank states that he has worked on 3 prior master plan re-examinations and this used to be every 7 years but that was changed to every 10 years, so he explains that the board is on its right schedule path. Timothy Hickey also states that he works on the last master plan re-examination in 2007.

Chairman William Bochicchio opens the meeting to the public.

Jeff Lyons at 29 Wilkins Drive asks about the original plans for that were reviewed for the COAH submission. He states that there were five plans and then a six plan was prepared. He asks what were the other plans reviewed. Darlene Green states that the board discussed each plan and that each plan used the DeAngelo's property with different densities ratios. She explains that some plans included sale properties, rental properties, market for affordable houses and rezoning other areas within the borough. Mr. Lyons asks if COAH specified for sell properties or townhomes. Darlene Green states that COAH does not specify.

Luis Velasquez at 33 Roxbury Road asks if the RA zone denotes no multifamily dwellings, no townhouses and no 2 family houses. Chairman William Bochicchio explains that the 6 acre parcel of DeAngelo's property is zoned farm and only 1 acre is in RA zone. Darlene Green explains that the ordinance is stating that those 7 acres will be rezoned into a new inclusionary zone. Mr. Velasquez asked if this is for COAH round two. Darlene Green states that this is for the third round COAH application. He asked if every municipality has to file a COAH application. Darlene Green states that every town is required to have an inclusionary zone and file a COAH application; it's required by the state. Chairman William Bochicchio states that the lawsuit has a 20 day stay but within the 20 days the borough has to submit an answer to the courts. Chairman William Bochicchio explains that the borough needs to have an inclusionary zone. Mark Madaio explains that the developer is seeking large numbers in density and the borough is trying to implement a COAH plan that will be less dense.

Lily Binny at 32 Roxbury Road asks what the inclusionary zone is and does the Borough needs the inclusionary zone. Darlene Green states then inclusionary zone is required for the borough to be COAH compliant. She explains that the developer can still challenge the borough if they do not have inclusionary zone. Mrs. Binny asked why the borough didn't go with eight units per acre for sale verses rental properties. Darlene Green explains that rental properties with COAH give you enough credits so that it would shrink the density of the site. She states that you cannot tell between the affordable verses the marketable within the property because they would be mixed. Mrs. Binny states that the Borough is COAH compliant with rounds one and two, she asks if the borough is compliant or if they're still waiting from the state for the third round and also what if the borough does not need anything more for the third round. Darlene Green explains that the borough is required to have its COAH obligation in place. Mrs. Binny asks about public parking and that no study was done on DeAngelo's so how can we judge parking without a study. Darlene Green explains that residential parking has to comply with parking figures based on the RSIS standards and the requirements for parking are based

by the number of bedrooms. Mrs. Binny asks how many would be allowed for townhomes. Darlene Green states that information can be found on the DCA's website. Mrs. Binny asks about the open space plan. Darlene Green explains that their firm submitted a plan many years ago but does not know if the municipality took action. Mrs. Binny asks about the exact dimensions of the DeAngelo's property. Darlene Green explains that the tax assessor would be able to give her the dimensions of the tax lots.

Rachel Bunin at 9 Poplar Street asks if inclusionary zone is required of every town. Darlene Green states that it would be in a borough's zoning ordinances. She explains that even if they were COAH compliant, a developer could still take the borough to court for not having an inclusionary zone. Mrs. Bunin asks what the exact situation would be in order to meet these obligations in other ways. She states that there are other mechanisms to do this and they need to be searched out. She states that in research, she sees that the veteran's bill gives COAH credits for veterans living within the borough. Mrs. Bunin asks why the borough can't buy up foreclosed homes and abandoned houses to cover its COAH credit needs. She asks if there are other mechanisms to acquire units so that the developer can't do this and why hasn't the Borough been exploring other options. Darlene Green explains that the veteran's bill cannot be used because those are age restricted units. She explains that the Borough needs to open family credits for everyone. She details that the market to affordable program costs would be exorbitant to the borough. Darlene Green states that the borough would have to buy the foreclosed homes or abandoned homes at regular value, renovate the homes up to the current building code and then sell the individual home at a much lower affordable value price. Darlene Green explains that the borough would spend more money and sell for a lot less. She further states that if the new owner defaults on their mortgage then the bank can lift the COAH deed restriction and the borough would lose that COAH credit. She states that the borough would have to bond large sums of money and the tax payers would ultimately pay the cost of that. She explains that buying foreclosed homes or abandoned homes is not financially feasible for the borough or the tax payers. Mrs. Bunin asks about the issues with rezoning and that the homeowners don't trust the developer. Mark Madaio explains that the board does not rezone and that it does not do ordinances. He states that the board only says if the ordinances are consistent with the borough's master plan. Mark Madaio explains that they only review the ordinances for consistency. He states that everyone here is doing their very best to protect Dumont and the borough has no options of doing a COAH plan someplace else. Mrs. Bunin asks the chances that the judge will throw this lawsuit out of court. Mark Madaio explains that the judge will not throw it out of court and that the judge will see if the borough is compliant or not. Mrs. Bunin asks if the 84 units are based on the third round and what if COAH says that Dumont does not need any more credits. Mark Madaio explains that the borough will not need to rezone at the mayor and council then. He explains that the COAH numbers that are coming out will most likely not be significantly less. He states that the borough over the years has done a very good job but is still not COAH compliant yet.

George Rafferty at 34 Blanche Court asks about the master plan draft, if DeAngelo's is to be in the inclusionary zone, if there is a builder's remedy lawsuit currently in court and was this all because of no master plan. Mark Madaio explains yes

there is a builder's remedy lawsuit in court and it's not because there was no master plan in the borough. Mr. Rafferty asks why didn't they put the DeAngelo's property in this many years ago and why wasn't it required to stay a park. Mark Madaio explains that it is a park and it had been zoned a park for many years. Chairman William Bochicchio states that it was zoned that way because the Borough had tried to stop this many years ago. He explains that the borough never had the right of first refusal to purchase the land because the property owner sold the land to a private developer. Mark Madaio explains that there is a contract for sale and there is no way that the Borough can stop that. He states that the DeAngelo's family sold the land to a purchaser who did not want to keep the land as a park. Mr. Rafferty asks who knew the property was a park and why this was kept a secret. Mark Madaio explains that this was not a secret and that the property was zoned park for many years. Timothy Hickey states that there was nothing hidden in regards to this property, it is a large parcel of land that a potential developer can look into and the private property owner had sold it to a developer.

Kevin Use at 55 Andover Avenue asks if the borough can create an inclusionary zone somewhere else. Darlene Green states yes but once we have the builder's remedy lawsuit we have to fight that lawsuit. Mr. Use asks why they are ahead of the 10 year master plan review schedule. Darlene Green states that the municipality can do this at any time and because the regulations have changed the borough felt it was prudent to do this. She explains that the master plan and the borough's ordinances need to be consistent. Mark Madaio explains that the borough needs to defend itself against the builder's remedy lawsuit. He explains that this is a way to make the density less of what it could potentially be. Mr. Use asked what ordinances can be put in place for weight restrictions on streets and the widening of Washington Avenue. Mark Madaio explains that Washington Avenue is a county road in that the borough cannot do anything about that. He states that the county will have to do deal with the developer directly. He explains that a court planner will come up with a plan for the inclusionary zone. Mr. Use asks if this can be put on properties like Merritt Gardens. Timothy Hickey states that affordable housing needs to be deed restricted and a multifamily dwelling private property owner will potentially not want to deed restrict their entire complex. Timothy Hickey states that the borough would also have to pay a minimum of 25,000 per unit to that private property owner but that the owner could name a higher price. He states that putting the COAH plan on an existing multifamily dwelling complex would not be feasible for the borough or its residents.

Lynn Vietri at 41 Wilkins Drive asks why the borough didn't get the right of first refusal. Mark Madaio and Chairman William Bochicchio state that the property owner had never formally approach the borough to buy the property. Mrs. Vietri asks about Washington Avenue and if it needs to be widened and who will pay for it. Mark Madaio explains that Washington Avenue is a county road and that the county will deal with the developer directly.

Matthew Balin at 12 Elizabeth Street states that the builder's remedy lawsuit leads to an urbanization of suburban towns. He explains that it's all about money and he asked if every board member is fluent in COAH obligations and if all the members become fluent

in COAH or do they rely on their professionals. Several members of the board state yes, that are fluent in the COAH obligations. Thomas Trank asked what this is in regards too. Mr. Balin states that he wants to make sure that everyone on the board is doing everything in their ability and asked if the owner was approached for the borough to purchase the property. Chairman William Bochicchio states that is a question for the governing body. Mark Madaio explains that the primary defense in the lawsuit is the governing body and the borough attorney is the primary attorney for the lawsuit. Chairman William Bochicchio states that the primary impact on the site is on the developer's part. He explains that the developer will have a list of items that they will have to satisfy. He states that any water & traffic studies, impact studies, would all have to be done at the developer's cost. Mr. Balin asks about environmental issues and if the land will need to be dredged. Mark Madaio explains that they would not know this yet because there is no plan yet. He states that these questions should be asked when the developer comes with an application before the board. Chairman William Bochicchio states that all matters would have to be addressed by the developer.

Corin Burin at 18 Second Street asks when the public will see the new COAH numbers and states that the residents are very anxious. Mark Madaio explains that the new numbers will be on the COAH website and the borough's website. Mrs. Burin asks if the joint land use board makes the final decision on the plan when it comes back for the design of the dwellings. Mark Madaio states that the number of units will be determined in the lawsuit. Mrs. Burin asks about the height of the buildings that are contained within the proposed ordinance and if the COAH numbers are lowered will the height restriction in the ordinance be lowered. Chairman William Bochicchio and Darlene Green discuss the heights that were listed in the ordinance and states they were based on the lowering the density within the lawsuit. They state that it is possible to modify the ordinance before it would be approved by the mayor and council. Mark Madaio explains that the ordinance could be modified.

Ken Marrow at 7 Medford Road asks if the borough engineer would have some input on the reviews of this project. He states that he came to the mayor and council years ago with pictures of sidewalks that had been crumbling on Grant Avenue and nothing had been done about them. He states that he does not feel confident with the Borough engineers. Chairman William Bochicchio explains that the engineers will scrutinize this project because of its scope and intensity. He states that the board engineer, Boswell engineering has done well by the borough and will continue to do.

Matthew Balin at 12 Elizabeth Street asks about the retaining wall on the back of his property which abuts the DeAngelo's property is in need of repairs. Mark Madaio explains that they cannot discuss issues like that and that would be an appropriate question when the court mandates the developer to come before the board with an application.

Chairman William closes the open session to the public.

Motion: Thomas Trank

2nd by: Frank Lopez

Motion to Adopt: Timothy Hickey
2nd by: Frank Lopez

ROLL CALL:

Thomas Trank	Y	Michael Affrunti	Y	Councilman Matthew Hayes	A
Michael Worner	Y	Timothy Hickey	Y	Elmer Pacia	Y
William Goodman	Y	Barbara Chen	Y	Michael Cremin Alt # 1	NA
Alfred Moriarty Alt # 2	NA	Janet Masio Alt # 3	NA	Mynor Frank Lopez Alt # 4	NA
Chairman William Bochicchio	Y				

BUSINESS: Discussion and Review of Proposed Zoning Ordinance for the Residential Inclusionary District

Mark Madaio begins by explaining the zoning ordinance for the residential inclusionary zone. He explains that the board will only verify if the resolution matches the consistency of master plan. Chairman William Bochicchio states that some members of the board were asked to meet with representatives of SOD and FARMD. He states that they went over many questions and they met with the board's professionals. He explains that it was a good dialogue between members of the board, residents and professionals combined. Mark Madaio explains that the proposed ordinance is in cohesion with the master plan elements. Darlene Green states that the municipal land use law will look to see if the elements are consistent with the master plan. She states that they borough is consistent with the goals of the land use plan and housing elements.

Chairman William Bochicchio opens the meeting to the public.

Motion: Michael Affrunti
2nd by: William Goodman

Linda Unger asks what about the inconsistency within the plan and the ordinance are. Darlene Green states that there was an inconsistency in zoning where one parcel was in the RA zone. Mrs. Unger asks if the goals were changed because of the lawsuit. Timothy Hickey states that this is the largest parcel within the borough and it has always been indicated to be looked at for potential uses. He states that as they go forward, the master plan gives us the design plan within the borough

Matthew Balin at 12 Elizabeth Street expresses that he likes the details of the buffers in the ordinance with but asks about the buffer standards for townhouses. Darlene Green explains that there will be a track buffer of 45 feet from the townhouse away from the property line and inside the 45 feet there will be another 25 feet of landscaping growth that will be a buffer for visual screening.

Debbie Griffin at 93 Wilkens Drive asks about single-family homes and if they can be used for COAH. Mark Madaio states that they cannot fit 84 single family homes within that parcel of land and that would not meet the COAH numbers required of the borough. Mrs. Griffin explains that the borough does not know what the new COAH numbers are as of yet. Mark Madaio states that within reason the numbers may deviate slightly so instead of 84 units the borough potentially could be lowered to 76 units but that still does not constitute single family homes.

Luis Velasquez at 33 Roxbury Road states that if the COAH numbers come out and the borough is good would the developers still continue with the lawsuit. Mark Madaio explains the lawsuit can continue and that they are only revising the master plan.

John Abbor at 83 March Avenue asks about the new COAH laws. Mark Madaio explains that COAH has been around since 1995 and builder's remedies lawsuits have been around for years now. Mr. Abbor asks if other towns do this. Mark Madaio explains that other municipalities have already been COAH compliant and he gives an example of Woodcliff Lake that built their own COAH housing requirement. He states that anyone can go on the COAH website and find out how many other municipalities are COAH compliant. Michael Affrunti states that all the board members are knowledgeable in NJ regulations.

Chairman William Bochicchio closes the meeting to the public.

Motion: Barbara Chen

2nd by: Frank Lopez

Motion to Adopt: Thomas Trank

2nd by: Frank Lopez

ROLL CALL:

Thomas Trank	Y	Michael Affrunti	Y	Councilman Matthew Hayes	A
Michael Worner	Y	Timothy Hickey	Y	Elmer Pacia	Y
William Goodman	Y	Barbara Chen	Y	Michael Cremin Alt # 1	NA
Alfred Moriarty Alt # 2	NA	Janet Masio Alt # 3	NA	Mynor Frank Lopez Alt # 4	NA
Chairman William Bochicchio	Y				

Motion to Adjourn: Frank Lopez

2nd by: William Goodman

Minutes respectfully submitted by:

Rosalia Bob

Joint Land Use Board Clerk